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**REVISED GUIDANCE REGARDING THE ORDER BY THE GOVERNOR
PROHIBITING ASSEMBLAGES OF MORE THAN 10 PEOPLE AND ON-PREMISES
CONSUMPTION OF FOOD AND BEVERAGES**

ISSUED MARCH 23, 2020

On March 23, 2020, Charles D. Baker, Governor of the Commonwealth of Massachusetts, issued an order (hereinafter, the Order) prohibiting gatherings of over 10 people. The Order rescinded and revoked the Governor's earlier issued March 15, 2020 Order Prohibiting Gatherings of More than 25 People. The Order directs the Department of Public Health to issue this guidance to implement the terms of the Order and further provides that any violation of the guidance shall be treated as a violation of the Order.

1. Gatherings subject to the Order include, but are not limited to: community, civic, public, leisure, or faith-based events, sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together 10 or more persons in any confined indoor or outdoor space.
2. The Order does not apply to public gatherings of more than 10 people in an unenclosed, outdoor space such as a park, athletic field, or parking lot, while permissible this type of gathering is not advised; provided, that individuals must follow social distancing protocols by remaining at least six feet apart.
3. The Order does not apply to normal operations at airports, bus and train stations, ferries, polling locations, grocery stores, farmers' markets, food pantries, banks and pharmacies.
4. The Order does not apply to the operations or activities of any business or organization in its provision of "COVID-19 Essential Services" as those are defined in the Order and Exhibit A to the Order.
5. The Order does not apply to healthcare facilities.
6. The Order does not apply to dental or orthodontic offices performing emergency procedures; provided, that to the extent practicable employees and patients must implement social distancing protocols.

7. Any restaurant, bar, or establishment that offers food or beverages shall not permit on-premises consumption of food or beverages; however, such establishments are encouraged to continue to offer food for take-out and by delivery, provided, that they follow social distancing protocols that require individuals to stay at least six feet apart. Food service establishments may have more than 10 employees on premises to provide these take-out and delivery services, provided, that they follow social distancing protocols. This guidance applies to all food service establishments, including, but not limited to, food services establishments in hospitals, hotels, office buildings, and higher education institutions.
8. The Order applies to all athletic events. Athletic activities that bring participants into close, physical contact, whether they are conducted indoors or outdoors, are prohibited even when involving 10 or fewer people.
9. The Order does not apply to shelters (e.g., homeless shelters and domestic violence shelters) or organizations providing services and supports to a shelter.
10. The Order does not apply to temporary or permanent locations used for isolation and/or quarantine.
11. The Order does not apply to residential treatment programs or after-school programs.
12. The Order does not apply to residential schools for special needs students. The Order also does not apply to public and private elementary and secondary (K-12) schools in the Commonwealth, which are subject to the March 15, 2020 Order Temporarily Closing All Public and Private Elementary and Secondary Schools, as may be subsequently amended, which suspended all normal in-person instruction and other educational operations.
13. The Order does not apply to the operation of child care programs in the Commonwealth, which are subject to the March 18, 2020 Order Temporarily Closing All Child Care Programs and Authorizing the Temporary Creation and Operation of Emergency Child Care Programs, as may be subsequently amended.
14. This guidance is effective March 24, 2020 at noon and shall remain in full force and effect through April 7, 2020, unless further extended.
15. Regardless of whether an event or gathering falls within the scope of the Order, all persons are urged to maintain social distancing (six feet away from other people) whenever possible and to continue to wash hands, utilize hand sanitizer and practice proper respiratory etiquette.
16. Regardless of whether an event or gathering falls within the scope of the Order, all higher risk individuals should avoid close contact with other individuals. Higher risk individuals include older adults, anyone with underlying health conditions, such as heart or lung disease or diabetes, anyone with weakened immune systems, and anyone who is pregnant.

17. Violations of this order shall be punished in the following manner: (a) the first offense shall result in a warning; (b) the second offense may result in a civil citation and a fine of up to \$300; and (c) further offenses which are repeated and willful may be subject to criminal penalties including a fine up to \$500 or term of imprisonment or both.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of
Public Health

March 23, 2020